

Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 CIAE-00 PM-09 INR-10 L-03 NEA-10

NSAE-00 PA-03 RSC-01 PRS-01 GAC-01 USIA-12 TRSE-00

MBFR-03 SAJ-01 SS-15 NSC-10 H-02 CU-04 ACDA-19 OMB-01

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USMISSION BERLIN

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C O N F I D E N T I A L HELSINKI 1255

C O R R E C T E D C O P Y (P A R A . 7 . , L I N E 10)

E. O.: 11652: GDS

TAGS: PFOR, OCON

SUBJ: CSCE: SWISS ARBITRATION PROPOSAL -- IMPLEMENTATION OF
PRINCIPLES

REF: HELSINKI 1161

1. SUMMARY: FURTHER DISCUSSIONS THIS WEEK OF PROPOSED BASKET I LANGUAGE ON IMPLEMENTATION OF PRINCIPLES NARROWED TO A DEBATE BETWEEN THE SOVIETS AND ROMANIANS ON ONE SIDE AND SOME OF EC- NINE ON THE OTHER OVER SPECIFIC REFERENCES TO (A) FURTHERING BILATERAL AND MULTILATERAL POLITICAL CONSULTATIONS (USSR/ ROMANIA) AND (B) FURTHER UNDERTAKINGS ON NON- USE OF FORCE (ROMANIA). UK/ ITALIAN INSISTED THAT SOVIET AND ROMANIAN LANGUAGE BE WATERED DOWN TO A SIMPLE REFERENCE IN THE MANDATE TO " PROPOSALS TO FACILITATE AVOID- ANCE OF DISPUTES", AND LATTER TWO ARGUED THEIR IDEA MUST BE MEN- TIONED ALONG WITH SWISS ARBITRATION PROPOSAL. SWISS, FOR THEIR PART, SEEMED PREPARED TO ACCEDE TO SOVIET INSISTENCE THAT MAN- DATE ALSO NOT GO BEYOND CALL FOR STUDY OF SWISS PROPOSAL IN PHASE
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II OF THE CONFERENCE AND SUBMISSION TO PHASE III OF RECOMMENDA- TIONS FOR THE CONTINUATION OF THIS STUDY AFTER CSCE.

2. DISCUSSION OF THIS PIECE OF THE BASKET I PUZZLE (OTHERS BEING

INTRODUCTION TO PRINCIPLES, LIST OF PRINCIPLES, AND, AFTER IMPLEMENTATION, MILITARY ASPECTS) WILL CONTINUE ON MAY 15 ON THE BASIS OF A HASTILY DRAFTED NON- PAPER (TEXT IN PARA. 7 BELOW), WHICH HAS EXPLICIT SUPPORT OF NO ONE BUT WHICH MAY IN FACT BE REASONABLY CLOSE TO A FINAL PRODUCT. MEANWHILE, THERE IS GENERAL AGREEMENT TO AIM FOR BEGINNING " FINAL" DRAFTING OF BASKET I MANDATE, FROM THE TOP, ON MONDAY, MAY 14. END SUMMARY.

3. DISCUSSION OF SWISS ARBITRATION PROPOSAL AND OTHER (SOVIET AND ROMANIAN) PROPOSALS FOR IMPLEMENTATION OF CSCE DECLARATION OF PRINCIPLES (REFTEL) RESUMED AT BEGINNING OF THIS WEEK WITH THE TABLING OF AN INFORMAL SWISS/ SOVIET/ ROMANIAN DRAFT. THIS CONSISTED OF BRIEF (SOVIET) UMBRELLA LANGUAGE CALLING ON BASKET I COMMITTEE TO CONSIDER WAYS TO PROMOTE " IMPLEMENTATION" OF PRINCIPLES, FOLLOWED BY BRIEF SUB- PARAS. ON (A) " STUDYING PROPOSALS AIMING AT ELABORATION OF ARRANGEMENTS FOR PEACEFUL SETTLEMENT OF DISPUTES... AND SUBMITTING A REPORT..." (A WATERED- DOWN VERSION PUT FORWARD BY SWISS REP WITH SHOW OF RELUCTANCE); (B) " FURTHERING" BILATERAL AND MULTILATERAL POLITICAL CONSULTATIONS (USSR, PLUS ROMANIA); AND (C) " PROMOTING" BILATERAL AND MULTILATERAL " UNDERTAKINGS" CONCERNING ELIMINATION OF THREAT OR USE OF FORCE (ROMANIA). DROPPED FROM THE DISCUSSION AT THIS POINT WERE TWO EARLIER PROPOSALS FOR CSCE ACTION MENTIONED BY SOVIETS AGAIN LAST WEEK: AN APPEAL FOR ADAPTION OF DOMESTIC LEGISLATION TO PROMOTE SECURITY AND COOPERATION (USSR/ ROMANIA), AND AN EXHORTATION TO EARLY PEACEFUL SETTLEMENT OF EXISTING DISPUTES (ORIGINALLY A SOVIET COUNTER TO THE SWISS PROPOSAL).

4. SOVIET DESIRE FOR UMBRELLA LANGUAGE WAS ACCEDED TO, ALTHOUGH NUMBER OF WESTERN DELS ARGUED FOR TERM " APPLICATION OF PRINCIPLES" RATHER THAN " IMPLEMENTATION". WATERED- DOWN MANDATE ON SWISS PROPOSAL WON BROAD ACCEPTANCE, INCLUDING (AD REF) THAT OF SOVIETS. NUMBER OF ALLIES MADE SHOW OF PREFERRING STRONGER LANGUAGE BUT NONE INSISTED. DEBATE FOCUSSED RATHER ON SOVIET AND ROMANIAN SUBPARAS. WITH EC NINE (SUPPORTED BY SEVERAL OTHERS, INCLUDING OURSELVES) TAKING A LEAD IN TRYING TO ELIMINATE OR AT LEAST SEVERELY CIRCUMSCRIBE BOTH.

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5. SOVIET REP. (MENDELEVICH) INSISTED THAT POLITICAL CONSULTATION ITEM BE RETAINED, ARGUING THAT SWISS PROPOSAL COULD NOT STAND ON ITS OWN AND IF IMPLEMENTATION SECTION OF MANDATE WATERED DOWN TOO MUCH IT WOULD NOT BE WORTH ADOPTING AT ALL. SOVIETS, HE SAID, DID NOT HAVE IN MIND CSCE' S PRODUCING A DOCUMENT ON POLITICAL CONSULTATIONS, ONLY EXPRESSING VIEWS ON THE GROWING BROAD PRACTICE OF THE PAST FEW YEARS. NOR WOULD HE ACCEPT UK REP' S ARGUMENT THAT MULTILATERAL POLITICAL CONSULTATIONS SHOULD BE DISCUSSED ONLY UNDER BASKET IV. HE WAS, HOWEVER, PREPARED TO ACCEPT SOME DRAFTING CHANGES IN HIS TEXT. IN SIMILAR VEIN, ROMANIANS SOUGHT TO REASSURE OTHER DELEGATES ABOUT THEIR PROPOSED SUB- PARA. (WIDELY SEEN ASHAHPANDORA' S BOX) BY EXPLAINING THAT ALL CSCE WOULD BE ASKED TO DO IS TO RECOMMEND TO STATES THAT THEY MAKE A REGULAR

HABIT OF ENTERING INTO ENGAGEMENTS ON NON- USE OF FORCE.

6. FOLLOWING RATHER LENGTHY GO- AROUND ON THE ABOVE LINES IN MINI-GROUP ON MAY 7, DEBATE MOVED -- INCONCLUSIVELY -- INTO THE CORRIDORS. THEN, AT AN INFORMAL SESSION ON MAY 10, UK AND ITALIAN REPS PROPOSED THAT THIS PART OF MANDATE BE REDUCED TO A BARE MINIMUM, WITH SOVIET/ ROMANIAN PROPOSALS SUBSUMED UNDER BRIEF PHRASE " CONSIDERING PROPOSALS TO FACILITATE THE AVOIDANCE OF DISPUTES." SOVIETS AND ROMANIANS REJECTED THIS OUT OF HAND, INSISTING ON EQUAL STATUS FOR THEIR PROPOSALS, BUT CONTINUING TO INDICATE FLEXIBILITY ON PRECISE LANGUAGE.

7. AFTER SERIES OF SHARPENING EXCHANGES BETWEEN THE MAIN ACTORS, MEETING ADJOURNED BRIEFLY TO ALLOW OPPORTUNITY FOR DEVELOPMENT OF A COMPROMISE " NON- PAPER", WHICH REFLECTS VIEWS OF MANY BUT WHICH ENJOYS NO SUPPORT IN ITS ENTIRETY. THIS READS: (BEGIN TEXT)

IN THE INTEREST OF STRENGTHENING EUROPEAN AND INTERNATIONAL SECURITY, THE COMMITTEE/ SUB- COMMITTEE IS CHARGED WITH THE TASK OF CONSIDERING PRACTICAL WAYS AND MEANS TO ENSURE FULL RESPECT FOR THE ABOVE- MENTIONED PRINCIPLES IN RELATIONS AMONG PARTICIPATING STATES INCLUDING PROPOSALS TO FURTHER THE POLITICAL COMMUNICATIONS AMONG STATES SUCH AS CONTACTS AND EXCHANGE OF VIEWS.

IT SHALL ALSO EXAMINE PRACTICAL MEASURES AIMING AT ENSURING THE EXCLUSION OF THE THREAT OR USE OF FORCE BY ONE STATE AGAINST ANOTHER.

IT SHALL STUDY AND ELABORATE PROPOSALS ON ARRANGEMENTS FOR THE PEACEFUL SETTLEMENT OF DISPUTES AMONG PARTICIPATING STATES.

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(END TEXT)

8. IN INFORMAL COMMENTS TO DELOFF FOLLOWING SESSION, MENDELEVICH INDICATED THAT LANGUAGE ON CONSULTATIONS MET HIS OWN REQUIREMENTS BUT THAT HE WOULD REQUIRE NEW INSTRUCTIONS BEFORE APPROVING IT. AS FOR LANGUAGE ON NON- USE OF FORCE (WHICH ROMANIANS CAN ACCEPT), HE WAS NOT INCLINED TO TAKE ISSUE AT THE TABLE WITH ROMANIANS BUT WOULD WELCOME (AS DO MANY OTHER DELEGATIONS) FUZZIER LANGUAGE. ON SWISS PROPOSAL, HE FOUND REFERENCE TO ELABORATING PROPOSALS TOO STRONG AND HOPED TO GET BACK TO TRIPARTITE TEXT OF MAY 1 WHICH CALLS ON COMMITTEE/ SUB- COMMITTEE TO STUDY PROPOSALS AND SUBMIT RECOMMENDATIONS.

9. THIS DRAFT (PARA 7), PLUS ITS CONTENT IN MANDATE, WILL BE BASIS FOR CORRIDOR WORK NEXT WEEK, WHEN WE HOPE TO FIND GENERALLY ACCEPTABLE AD REF COMPROMISE. WHITE

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